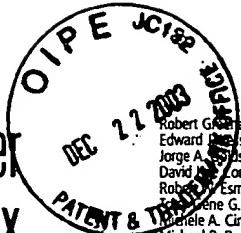




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December 22, 2003

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

DEC 29 2003

Art Unit 1636

TECH CENTER 1600/2900

Re: U.S. Utility Patent Application
Appl. No. 09/705,940; Filed: November 6, 2000
For: **Dry Powder Cells and Cell Culture Reagents and Methods of Production Thereof**
Inventors: Fike *et al.*
Our Ref: 0942.4290006/RWE/FRC

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Third Supplemental Information Disclosure Statement;
2. Listing of the cited documents on Form PTO-1449 (1 sheet);
3. A copy of the three (3) cited documents on Form PTO-1449; and
4. Return postcard.

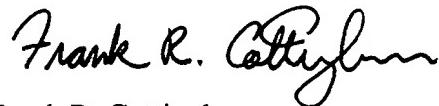
It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
December 22, 2003
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Frank R. Cottingham
Attorney for Applicants
Registration No. 50,437

FRC/pcd
Enclosures

::ODMA\MHODMA\SKGF_DC1;211019;1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

FIKE *et al.*

Appl. No. 09/705,940

Filed: November 6, 2000

For: **Dry Powder Cells and Cell
Culture Reagents and Methods of
Production Thereof**

Confirmation No. 7464

Art Unit: 1636

Examiner: Lambertson, D.

Atty. Docket: 0942.4290006/RWE/FRC

Third Supplemental Information Disclosure Statement

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PO Box 1450
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Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. The numbering on this Third Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Second Supplemental Information Disclosure Statement filed on January 24, 2003, in connection with the above-captioned application. A copy of each document is also provided.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants' undersigned representative submits the following, in regards to non-English language document AP4 cited on Form PTO 1449:

Document **AP4**, Japanese Patent No. JP 2-57175, is in the Japanese language. An unverified English language abstract of document AP4 is attached as document **AT12**.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates

should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

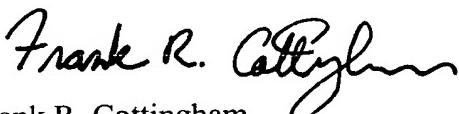
This Third Supplemental Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits after the filing of a request for continued examination. No statement or fee is required.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


Frank R. Cottingham
Attorney for Applicants
Registration No. 50,437

Date: DEC. 22, 2003

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FORM PTO-1449 <u>THIRD SUPPLEMENTAL</u> <u>INFORMATION DISCLOSURE STATEMENT</u>		ATTY. DOCKET NO. 0942.4290006/RWE/FRC	APPLICATION NO. 09/705,940
		APPLICANT Fike et al.	
		FILING DATE November 6, 2000	GROUP 1636

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
AA						
AB						
AC						
AD						
AE						
AF						
AG						
AH						
AI						
AJ						
AK						

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FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
AL						Yes No
AM						Yes No
AN						Yes No
AO						Yes No
AP4	JP 2-57175	02/26/1990	Japan			Yes x No

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

AR			
AS	12	Maa, Y.-F., et al., "Spray-coating of rhDNase on lactose: effect of system design, operational parameters and protein formulation," Int. J. Pharm. 144:47-59, Elsevier Science B.V. (1996).	
AT	12	WPI/Derwent Accession No. 1990-104911, English language abstract for JP 2-57175 (Document AP4).	

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.